

DEC 01 2005

## AMENDMENT TRANSMITTAL

Applicants: Kenneth J. Stokes et al  
 Serial No.: 09/376,317  
 Filed: August 18, 1999  
 Title: System and Method for Genetically Treating Cardiac Conduction Disturbance

Examiners: Anne Marie S. Wehbe/Dave Nguyen  
 Group Art Unit: 1632  
 Docket: P-3569.01 Continuation

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8:** I hereby certify that this Amendment Transmittal and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to Mail Stop Amendment, P.O. Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450 on this 29 day of November, 2005.

*Janita I. Traufler*  
 Janita I. Traufler

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Amendment Transmittal  
☒ Reply Under 37 C.F.R. 111 & Amendment Under 37 C.F.R. 1.121  
☒ Amended Claims (Version with Markings to Show Changes Made)  
☒ Return Postcard

## FEE CALCULATION

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	1 -	25 =		x 50	\$00.00
Independent Claims	1 -	4 =		x 200	\$00.00
Multiple Dependent Claims	No			+ 360	\$
TOTAL					\$00.00

\_\_\_ Applicant hereby petitions for a \_\_\_ month extension of time in the prior application. If an additional extension of time is required, please consider this a petition therefor;

\_\_\_ Charge Deposit Account No. 13-2546 the sum of \$\_\_\_\_\_.

☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

\_\_\_ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

*November 28, 2005*  
 Date

*Kenneth J. Collier*  
 Kenneth J. Collier, Reg. No. 34,982  
 Customer Number 27581  
 Telephone: (763) 505-2521



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Medtronic Inc.

By Juanita D. Traufler  
Juanita Traufler

Date November 29, 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kenneth B. Stokes )  
Josee Morissette )  
Serial No.: 09/376,317 )  
Filed: August 18, 1999 ) Group Art Unit:  
For: System and Method for Genetically Treating ) 1632  
Cardiac Conduction Disturbance ) Examiners:  
Docket No.: P3569.01 Continuation ) Anne Marie S. Wehbe  
Dave Nguyen

REPLY UNDER 37 C.F.R. 111 & AMENDMENT UNDER 37 C.F.R. 1.121

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants reply to the outstanding Office Action to USSN 09/376,317. The submitted Reply and Amendments are based on reviewing the Examiner's Action.

The enclosed response is submitted to put the case in condition for allowance. This response addresses the remaining issues from the last office action.

In the last Office Action the Examiner rejected pending Claim 20 under 35 U.S.C. 112, first paragraph, for indefiniteness, and requested that the status of each claim be properly addressed. Applicants respectfully request reconsideration of the above-captioned application under 37 C.F.R. §1.115 in light of the amendments and remarks in this response.

Applicants authorize the office to charge deposit account No. 13-2546 in the name of Medtronic, Inc., any necessary fees related to their response.

#### **Amendments**

Please indicate the status of claims 1-19, and 21-61 are all cancelled as shown on the marked up version of the claims attached herewith.

Please enter the contained amendments to Claim 20 found in the marked-up version of the claims attached herewith.

#### **Explanation of the Amendments**

In response to the last Office Action, Applicants have indicated the status of claims 1-19 and 21-26 as cancelled.

Claim 20 has been amended to add the feature that the reservoir means is located proximal to the distal tip portion of the catheter. Support for adding the location of the reservoir can be found specifically in Figure 1 and Figure 6B and the